

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

GAMAL ASHRIA,)
Petitioner,)
vs.) Civil Action Number
ERIC HOLDER, et al.,) 4:11-cv-03660-KOB-JEO
Respondents.)

MEMORANDUM OPINION

Gamal Ashria, presently a detainee of the Bureau of Immigration and Customs Enforcement (“ICE”) confined at the Etowah County Detention Center in Gadsden, Alabama, filed this *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. 1). The Board of Immigration Appeals has ordered the petitioner removed to the Sudan, and he is challenging his detention at the center beyond the removal period pursuant to *Zadvydas v. Davis*, 533 U.S. 678 (2001). After preliminary review, the magistrate judge assigned this case issued a Report and Recommendation (doc. 8), finding that the petitioner’s continued detention is lawful because the record evidence indicates that the petitioner has failed to comply with the deportation proceedings and, thereby, failed to demonstrate that his removal is a “remote possibility.” (Doc. 8 at 5-6 (quoting *Zadvydas*, 533 U.S. at 690)). The petitioner has not filed any objections to the Report and Recommendation within the time proscribed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation, the court finds that the magistrate judge’s report is due to be adopted and approved. The court hereby adopts and approves the findings and

recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed with prejudice. An appropriate order will be entered.

DONE & ORDERED this 9th day of February, 2012.



KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE